

## Churches and Industry Group Birmingham and Solihull

### DATA PROTECTION POLICY (GDPR)

#### Introduction

1. CIGB needs to process information about employees, volunteer chaplains, trustees, business managers, useful contacts, organisations, friends, supporters and other individuals.
2. The CIGB Management Council has overall responsibility for ensuring that CIGB works in line with the General Data Protection Regulations and that trustees, staff and chaplains are aware of their responsibilities. CIGB is the Data Controller.
3. CIGB Development Director will advise on day-to-day data protection issues.
4. The CIGB Management Council, CIGB staff and volunteer chaplains, and any others who process personal information on behalf of CIGB must comply with the principles of GDPR and CIGB's outworkings of those principles in this policy.

#### General Data Protection Regulations 2018 (GDPR) and CIGB

##### 5. Some GDPR definitions

###### a Personal data

Personal data is information that relates to a living individual (the "Data Subject") who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by The General Data Protection Regulation 2016/679 (the "GDPR").

###### b Data Subjects

The Data Subject is the living person to whom the data relates. They may request a copy of all of data about them held by CIGB. CIGB is likely to keep data on its chaplains, staff, trustees, recipients of chaplaincy services, friend and supporters, business contacts, visitors and contractors.

###### c Data Controller

CIGB is a Data Controller: CIGB decides what data to process and for what purposes. CIGB is a Registered Charity (No 511711). CIGB may be contacted at CIGB, 1 Colmore Row, Birmingham B3 2BJ.

###### d Data Processing

Data processing is the handling of any data: this includes storing, sharing, viewing, deleting, changing, manipulating that data. Trustees, chaplains (paid or voluntary) and staff with CIGB may be processing data for CIGB purposes and for which CIGB is the nominated Data Controller.

###### e Special Category Data

Data that relates to certain characteristics – like faith, race, political opinions, medical information – requires specific conditions for processing.

###### f Data for personal use

Data that is processed for personal, social use does not fall under the scope of these regulations

6. When CIGB processes information, we need to keep to the terms of the GDPR. In particular, we need to make sure that we process information in line with the principles of data protection described in the Regulations; and we must be able to demonstrate that we are in compliance with these regulations.
7. GDPR requires us to have a policy on what data CIGB collects; and the way we take, store, share and use information. Data and information that we process must be:
  - Fairly and lawfully processed
  - Processed for limited, defined purposes
  - Adequate, relevant and not excessive
  - Accurate and up to date
  - Not kept for longer than is necessary
  - Processed in line with individuals' rights
  - Kept secure and destroyed securely
  - Not shared, unless there is a legal ground for doing so
  - Not transferred to other countries that do not have similar legal data protection laws
8. GDPR allows only a limited number of Legal grounds for Processing Personal Data:
  - By Consent – Data subjects receive a Privacy notice and consent to that.
  - For performance of a contract – eg in employment
  - By legal obligation – with public authorities
  - For the legitimate interests of an organisation – eg “vicar taking notes of a pastoral visit”
  - For ‘vital interest’ (Health and Safety) or for ‘public interest’.
9. GDPR gives rights to Data Subjects about their data that CIGB processes:
  - a Right to access your personal data

Data Subjects have a right to see the data we hold for them. They can request this by a ‘Data Subject Access Request’. We will respond to their request within 30 calendar days. There will be no charge to them for this.
  - b Right to rectification

Data Subjects have the right for inaccurate or incomplete data to be corrected within one month, although this can be extended to two months if the request is extremely complicated. If the data has been shared with third parties, CIGB will inform them of the rectification.
  - c Right to withdraw consent to process data

Data Subjects can inform us of a withdrawal of consent to process their data at any time. To do this, they need to notify us in writing. Since we may process some data on legal grounds other than consent (eg safeguarding, charity membership), we may choose to continue to process such data under these alternative legal grounds.
  - d Right to erasure of personal data

Data Subjects can ask CIGB to erase their data when it is no longer necessary for us to retain it. Our retention policy for data is also controlled by other legal obligations – such as employment, financial, charity laws and safeguarding guidance.
  - e Right to restrict processing.

Data Subjects can ask CIGB to do no further processing of their data, where there is a dispute in relation to the accuracy or processing of their personal data. If processing is restricted (subject also to legal obligations), CIGB can still store the data but cannot otherwise use the data, until the dispute is resolved.

f Right to object to the processing of personal data

Where we use their data to contact Data Subjects to promote events, etc or when we take legitimate pastoral notes of our encounters with Data Subject in furtherance of our charitable objectives, Data Subjects can ask us to stop doing so.

g Data Subjects, wanting to exercise their rights above, should contact CIGB in writing: CIGB, 1 Colmore Row, Birmingham B3 2BJ

h Data Subjects also have the right to lodge a complaint with the Information Commissioners Office, if they feel their rights have not been fairly respected by CIGB and we have not resolved the issue to their satisfaction. [Information Commissioners Office at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF (0303 123 1113; [www.ico.org.uk](http://www.ico.org.uk))]

### **CIGB's Data Activity**

10. CIGB wants to protect the right of individuals to privacy and will treat personal data with respect. CIGB staff, trustees and chaplains will take appropriate measures to make sure that this is the case.

11. We carefully process the minimum necessary data in order to:

- a enable us to provide a voluntary service for the benefit of CIGB members and the general public as specified in our charitable constitution. (Our legal grounds are the legitimate purposes of our charitable activities.)
- b support chaplains, those we do chaplaincy with, and colleagues, in their life and work (Our legal grounds are the legitimate purposes of our charitable activities)
- c administer records, organize events, meetings and training. (Our legal grounds are the legitimate purposes of our charitable activities.)
- d fundraise and promote the interests of the charity. (Our legal grounds are the legitimate purposes of our charitable activities.)
- e create and maintain anonymized numbers and anonymized stories of our work for learning, monitoring, promotion and fundraising that may be shared via a website and social media (Our legal grounds are the legitimate purposes of our charitable activities; or by consent)
- f produce publicity and reports to inform trustees, chaplains, those we do chaplaincy with, friends and supporters, or the general public of relevant news, events, training or services run by CIGB or other similar organisations (Our legal grounds are the legitimate purposes of our charitable activities; or by consent, if individuals are identifiable in such publicity)
- g manage staff and volunteers; enroll chaplains with national associates; maintain financial records and provide insurance covers (Our legal grounds are the legitimate purposes of our charitable activities; or by consent; or for the performance of a contract)

12. What personal data we may collect

- a Names and contact details (address, phone, email etc)
- b Dates of birth

- c Church / faith affiliation
- d Ethnic background
- e Photographs, videos, recordings of people
- f Health issues that are declared or known to us
- g DBS status, and any results following a DBS check
- h Next of kin
- i Minutes of meetings, phone calls and email conversations
- j Pastoral notes about personal situations

13. How we collect and process Data

- a CIGB chaplains and staff may record data of people who initiate communication with them, in order to respond to their requests and to supply them with further information about CIGB.
- b CIGB may collect data that is in the public domain and store it.
- c CIGB chaplains and staff may record data about people with whom they have had conversations, chaplaincy interactions or meeting in order to give a good pastoral service over time to such individuals. Such data will be stored securely and may be coded so that it is not immediately recognizable to another party. Any information recorded will be adequate, relevant, as accurate as possible, and not excessive in relation to chaplaincy purposes.
- d As far as possible, CIGB chaplains and staff will keep all data up to date and accurate.
- e CIGB chaplains and staff may record statistical information about the sort of contacts that they have, for reporting to businesses, churches and funders; and for publicity. Individuals will not be identifiable from these records.
- f For legal, employment and safeguarding reasons we may process data about our chaplains, trustees and staff
- g We will generally seek the consent of our chaplains and trustees to process their personal data; but we may also choose to process their data under other legitimate grounds (eg running of a charitable membership organization).
- h We will not put personal data in publicity or on publicly accessible webpages without the consent of the Data Subject, unless it is a legal requirement.

14. Our website carries a statement of our privacy policy ([www.cigb.org.uk/about-us/privacy](http://www.cigb.org.uk/about-us/privacy))

15. We will only share data with people outside of CIGB where:

- a This is needed to prevent harm, and authorities need to be contacted (e.g. the Police, Social Services, NHS services): this may be a legal requirement; or
- b There is consent (see consent form at the end of this policy); or
- c Enquirers are making a reasonable enquiry about specific workplace chaplaincy provision – and we are responding with information about our chaplaincy service.

16. We shall not transfer data to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal information.

17. We will delete/rectify/restrict processing of personal data when Data Subjects ask us to, unless we need to retain information for safeguarding/legal purpose

18. Data Storage, Security and Disposal

- a Personal data relating to the involvement of individuals and organisations with CIGB is stored within CIGB office and by local chaplains.
- b Data is stored on computers, on-line storage, and in files and filing cabinets.
- c Data storage locations will be secure. Computer / on-line storage is to be protected by adequate passwords and encryption as necessary.
- d Access to this data is limited to CIGB staff and chaplains, Chair of CIGB Management Council, and their agents.
- e Some of this information is considered sensitive / special category data.
- f On disposal, personal data will be securely destroyed.
- g CIGB will retain data for no longer than necessary:
  - i In normal circumstances most personal data will be safely destroyed two years after last contact with a data subject.
  - ii In the case of an employee or former volunteer, most data will destroyed seven years after last engagement with that individual.
  - iii If there has been a safeguarding concern or enquiry about an individual, CIGB may be required to keep relevant data for seventy-five years.
  - iv Notes of committee meetings and charitable records may be archived indefinitely for future reference.

#### **CIGB Chaplains' / Staff / Trustees Responsibilities**

19. Under this policy, it is a responsibility of chaplains and staff to ensure that:

- a They process personal information in ways that follows this policy for collecting, storing (including on-line storage), using, sharing and disposing of data.
- b They can evidence what personal data they are processing (eg in a summary document)
- c They do not allow anyone to access this data, unless it is in accordance with this policy.
- d Any personal data they share is as according to this policy, is accurate and deserves to be communicated.
- e If an enquiry is made about our Data policy, they point enquirers towards our privacy statement ([www.cigb.org.uk/about-us/privacy](http://www.cigb.org.uk/about-us/privacy)) and this policy.
- f If there is a significant loss of data or breach of security of data, this breach is notified to CIGB Development Director
- g They understand that a breach of the rules and procedures identified in this policy may lead to disciplinary action being taken against them.

20. Under this policy, CIGB Development Director is responsible for ensuring that:

- a Members of CIGB who are processing personal information are appropriately trained to do so and appropriately supervised.
- b Where consent is necessary for the processing of data, such consent is sought; if such consent is given, this consent is recorded. If consent is later rescinded, this is also noted and actioned.
- c CIGB responds within legal timeframes to any enquiries about handling personal information, any Subject Access Requests, or any requests to restrict processing

- d CIGB describes clearly on its website how it handles personal information in its privacy statement.
  - e CIGB reports any significant data loss or breach to the relevant authorities
  - f CIGB has the evidence to demonstrate that CIGB is adhering to GDPR regulations, if relevant authorities enquire.
21. CIGB Management Council is responsible for this policy:
- a It will assess adherence to this policy at regular intervals
  - b It will review (and update as necessary) the policy against best practice and any changes or amendments made to the General Data Protection Regulations, or other laws and guidance.